

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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Richard A Leslie Co., Inc.,

Plaintiff,

v.

Birdie, LLC, and Golfsmith International  
Holdings, Inc.,

Defendants.

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DECLARATION OF RICHARD  
LONIGRO

07-cv-5933 (LAK)

I, Richard Lonigro, hereby declare the following:

1. I am owner of Port Jefferson Sporting Goods. Port Jefferson Sporting Goods is a retailer of general sporting goods consisting of five retail locations. Port Jefferson Sporting Goods was founded in 1971 and presently has annual sales of approximately REDACTED

2. Port Jefferson Sporting Goods sells at retail, among other goods, golf equipment and golf apparel.

3. I have been a customer of Richard A. Leslie Co., Inc. since Port Jefferson Sporting Goods first opened in 1971 through the present day.

4. I purchase from Richard A. Leslie Co., Inc. jackets, including golf jackets, and warmup suits. I have purchased these items from Richard A. Leslie Co., Inc. from 1971 through the present day.

5. I sell "Birdie" branded jackets, golf jackets and warmup suits from the Richard A. Leslie Co., Inc. both via my retail stores (i.e., "off the rack") and via special orders to teams, schools and the like.

6. Each of the jackets, golf jackets and warmup suits I purchase from Richard A. Leslie Co., Inc. includes a label bearing the mark "Birdie". I do not remove or alter these labels prior to sale. My customers receive the jackets, golf jackets and warmup suits with the "Birdie" labels intact.

7. I refer to Richard A. Leslie Co., Inc. as "Birdie" and have always considered Richard A. Leslie Co., Inc. to be the "Birdie" company. My sales staff refers to Richard A. Leslie Co., Inc. as "Birdie" and the apparel as "Birdie" jackets, "Birdie" warmup suits, etc.

I swear under penalty of perjury that the foregoing is true and correct, except as to those statements made upon information and belief, which I believe to be true and correct.



Richard Longro

Date: 9-5-07